



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,906	01/02/2001	Robert Bruce Frye	41980.001049	7297

7590 12/02/2004

Thomas M. Blasey, Esq.
Hunton & Williams
Suite 1200
1900 K Street, N.W.
Washington, DC 20006

[REDACTED] EXAMINER

KASENGE, CHARLES R

ART UNIT	PAPER NUMBER
2125	

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/750,906	FRYE ET AL.	
	Examiner	Art Unit	
	Charles R Kasenge	2125	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 32 is/are allowed.
- 6) Claim(s) 1-3 is/are rejected.
- 7) Claim(s) 4-31 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Wolters, Jr. et al. U.S. Patent 5,826,252. Referring to claim 1, Wolters discloses a method for introducing a new project initiative into a business, comprising the steps of: receiving, into a computer system, project information related to the new project initiative from a developer of the new project initiative (col. 5, lines 58-67); opening a new initiative program within the computer system related to the received project information (col. 6, lines 49-62); progressing, within the computer system, through a series of project development stages wherein the project is developed from conception through manufacture/implementation (col. 7, lines 1-20); referencing and attaching additional materials to the new initiative program that are relevant to a review and approval process (col. 4, lines 34-49 and col. 7, lines 23-41); electronically notifying at least one approver about the new initiative program (col. 7, lines 23-41 and col. 9, lines 31-40); and receiving an approval determination from the at least one approver indicating whether the new initiative program should advance from a current stage to a next stage (col. 7, lines 23-41 and col. 9, lines 31-40).

Referring to claim 2, Wolters discloses the method of claim 1, wherein the step of receiving project information further comprises the steps of: receiving program type information

Art Unit: 2125

related to a type of initiative being introduced (col. 5, lines 58-67); receiving owner identification information related to a individual responsible for the program (col. 5, lines 58-67); and receiving marketing tollgate information relating to information collected during an initial determination by a marketing group regarding whether to open the new initiative program (col. 7, lines 23-41 and col. 9, lines 31-40).

Referring to claim 3, Wolters discloses the method of claim 1, wherein the step of opening a new initiative program further comprises the steps of: assigning a unique program identifier to the new project initiative (col. 5, lines 58-67); displaying a new project initiative program graphical user interface to the developer, wherein the new initiative program graphical user interface includes a plurality of stages, milestones and checklist items that together outline a process for introducing the new project initiative to the business (col. 5, lines 10-18).

Allowable Subject Matter

3. Claim 32 allowed.
4. Claim 4-31 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles R Kasenge whose telephone number is 571 272-3743. The examiner can normally be reached on Monday through Friday, 8:30 - 5 pm.

Art Unit: 2125

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on 571 272-3749. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CK
November 26, 2004



LEO PICARD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100